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Attorney/Docket No. 31132.195  
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Marik, et al.

Serial No.: 10/806,961

Filed: March 23, 2004

For: Constrained Artificial Spinal Disc

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§ Group Art Unit: 3738  
§  
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§ Examiner: Unknown  
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**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.


The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

This Information Disclosure Statement is being filed within three months of the United States filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required (37 CFR §1.97(b)).

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

  
Julie M. Nickols  
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Date: 3/8/2005  
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**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 3-8-05

Gayle CONNER  
Printed Name  
Gayle Conner  
Signature

In place of PTO-1449 Form	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block;">             MAR 11 2005              RECEIVED           </div>	Complete if Known
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number      10/806,961
		Filing Date                March 23, 2004
		Applicant(s)                Marik, et al.
		Art Unit                      3738
		Examiner Name              Unknown
SHEET      1      OF      1		Attorney Docket Number      31132.195

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date <small>MM-DD-YYYY</small>	Name of Patentee or Applicant of Cited Document
	A1	5507816	04/16/1996	Bulivant

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document <small>(Country Code - Number - Kind)</small>	Publication Date <small>MM-DD-YYYY</small>	Patentee or Applicant of Cited Document	Translation <small>Y/N</small>
	B1	FR 2 730 159 - A1	08/09/1996	TEULE JEAN GERMAIN	N
	B2	EP 1 374 808 A1	01/02/2004	DePuy AcroMed, Inc.	Y

NON-PATENT LITERATURE DOCUMENTS		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

Examiner Signature	Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.